

1 John D. Fiero (CA Bar No. 136557)
2 Kenneth H. Brown (CA Bar No. 100396)
3 Victoria A. Newmark (CA Bar No. 183581)
4 Teddy M. Kapur (CA Bar No. 242486)
5 PACHULSKI STANG ZIEHL & JONES LLP
6 150 California Street, 15th Floor
7 San Francisco, California 94111-4500
8 Telephone: 415/263-7000
9 Facsimile: 415/263-7010

10 E-mail: jfiero@pszjlaw.com
11 vnewmark@pszjlaw.com
12 kbrown@pszjlaw.com
13 tkapur@pszjlaw.com

14 Attorneys for Heller Ehrman LLP,
15 Debtor and Debtor in Possession

16 **UNITED STATES BANKRUPTCY COURT
17 NORTHERN DISTRICT OF CALIFORNIA
18 SAN FRANCISCO DIVISION**

19 In re:

20 Heller Ehrman LLP,

21 Debtor

22 Case No.: 08-32514

23 Chapter 11

24 **NOTICE OF DEBTOR'S OBJECTION TO
25 PURPORTED ADMINISTRATIVE CLAIM OF
26 CISCO SYSTEMS CAPITAL CORPORATION
27 (CLAIM NO. 359)**

28 [Pursuant to B.L.R. 9014-1, no hearing unless
objection filed or hearing requested]

29 **TO THE HONORABLE DENNIS MONTALI, UNITED STATES BANKRUPTCY JUDGE;
30 THE CREDITORS' COMMITTEE; THE OFFICE OF THE UNITED STATES TRUSTEE;
31 AND CISCO SYSTEMS CAPITAL CORPORATION:**

32 **NOTICE IS HEREBY GIVEN** that Heller Ehrman, LLP, formerly known as Heller
33 Ehrman White & McAuliffe LLP, a California limited liability partnership, the debtor and debtor-in-
34 possession in the above-captioned case (the "Debtor"), hereby files its *Objection to Purported*
35 *Administrative Claim of Cisco Systems Capital Corporation (Claim No. 359); Memorandum of*
36 *Points and Authorities* (the "Objection").

37 **PROCEDURE TO BE FOLLOWED**

38 Bankruptcy Local Rule 9014-1 of the United States Bankruptcy Court for the Northern
39 District of California prescribes the procedures to be followed by anyone who requests a hearing on
40 the relief requested in the Objection. Bankruptcy Local Rule 9014-1(b)(3) requires the following:

- 1 a. **That any objection to the requested relief, or a request for a hearing on the**
2 **matter, must be filed and served upon the initiating party within twenty-one (21) days of the**
3 **mailing of this Notice;**
- 4 b. **That a request for a hearing or objection must be accompanied by any**
5 **declarations or memoranda of law the party objecting or requesting wishes to present in**
6 **support of its position;**
- 7 c. **That if there is not a timely objection to the requested relief or a request for a**
8 **hearing, the Court may enter an order granting the relief by default; and**
- 9 d. **That the initiating party will give at least seven (7) days written notice of the**
10 **hearing to the objecting or requesting party, and to any trustee or committee appointed in the**
11 **case, in the event an objection or request for a hearing is timely made.**

12 For further information, parties in interest may wish to contact Debtor's counsel, John D.
13 Fiero of Pachulski Stang Ziehl & Jones LLP, 150 California Street, 15th Floor, San Francisco,
14 California 94111-4500, telephone (415) 263-7000.

15 **NOTICE IS HEREBY FURTHER GIVEN** that pursuant to Local Rule 3007-1 of the
16 United States Bankruptcy Court for the Northern District of California, where a factual dispute is
17 involved, the initial hearing on the Objection shall be deemed a status conference at which the Court
18 will not receive evidence. Where the Objection involves only a matter of law, the matter may be
19 argued at the initial hearing.

20 **NOTICE IS HEREBY FURTHER GIVEN** that the Objection may be prosecuted by the
21 Debtor and/or any successor thereof.

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

NOTICE IS HEREBY FURTHER GIVEN that, if a timely opposition is received and a hearing set, the initial hearing on the Objection shall be deemed a status conference at which the Court will not receive evidence.

Dated: August 31, 2010

PACHULSKI STANG ZIEHL & JONES LLP

By /s/ John D. Fiero
John D. Fiero

Attorneys for Heller Ehrman LLP,
Debtor and Debtor in Possession

PACHULSKI STANG ZIEHL & JONES LLP
ATTORNEYS AT LAW
SAN FRANCISCO, CALIFORNIA